

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P-IEE-097-WO	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2004/050494	International filing date (day/month/year) 08.04.2004	Priority date (day/month/year) 10.04.2003
International Patent Classification (IPC) or national classification and IPC		
Applicant IEE INTERNATIONAL ELECTRONICS & ENGINEERING S.A.		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. ☒ (sent to the applicant and to the International Bureau) a total of 3 sheets, as follows:

☒ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-10 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1-18 _____ received by this Authority on 08.02.2005 with letter
- nos.* _____ received by this Authority on of 08.02.2005
- ☒ the drawings:
- sheets 1/2-2/2 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	1-18	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-18	NO
Industrial applicability (IA)	Claims	1-18	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
<p>This report makes reference to the following documents:</p> <p>D1: US-A2002/0169537</p> <p>D2: EP-A-1 094 337</p> <p>The present application does not meet the requirements of PCT Article 33(1), because the subject matter of claims 1 and 10 lacks an inventive step within the meaning of PCT Article 33(3).</p> <p>D1 is regarded as the prior art closest to the subject matter of claim 1. D1 discloses (the reference signs in parentheses refer to D1):</p> <ul style="list-style-type: none">- a method for providing assistance in parking a vehicle, comprising the following steps: recording data about the surroundings outside the vehicle, calculating the dimensions of a specific area using the recorded data about the surroundings, and (paragraph [0002])- evaluating the area with respect to its suitability for use as a parking spot using the calculated dimensions and the known vehicle-specific reference values (paragraph [0029])			

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citations and explanations supporting such statement

- the recording of data about the surroundings involving the recording of three-dimensional images of the surroundings (paragraph [0024]).

Therefore, the subject matter of claim 1 differs from D1 in that the three-dimensional images of the surroundings are recorded using an optical 3D system (feature \$).

The problem to be solved by the present invention can therefore be regarded as that of minimizing the outlay for electrical equipment required for recording data about the surroundings.

The solution proposed in claim 1 of the present application cannot be regarded as inventive (PCT Article 33(3)) for the following reasons: D2 (cf. D2, paragraph 4) discloses the feature \$ and describes with respect to said feature \$ the same advantages as those of the present application. Therefore, a person skilled in the art would regard the inclusion of this feature in the method described in D1 as a routine design measure for solving the problem of interest. Therefore, the subject matter of claim 1 does not involve an inventive step.

The same line of reasoning applies, *mutatis mutandis*, to independent claim 10, which also fails to involve an inventive step.

Dependent claims 2-9 and 11-18 contain no features

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that, in combination with the features of any claim to which they refer, meet the PCT requirements for inventive step; see the document cited in the search report and the corresponding text passages indicated in the search report.